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Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Siemens et al.)
Application No.: 10/636,100) Art Unit: 3724
Filed: August 7, 2003) Examiner: Payer, Hwei Siu Chou
For: Cabinet Scraper with Handles)
Docket No: L3440/277452

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE FACSIMILE TRANSMISSION

I hereby certify that this document and all documents referred to as enclosed are being facsimile transmitted to the U.S. Patent and Trademark Office Central Fax No.: 703-872-9306 on April 4, 2005.

Margaret A. Cogburn
Margaret A. Cogburn

This paper responds to the Final Office Action mailed January 4, 2005, in the above-identified patent application.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

ATTN: 110855

PAGE 013 * RCVD AT 04/06/2005 3:32:15 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-10 * DNS:172308 * CSD:04 815 6555 * DURATION (min-sec):03-56

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02 FC:1201 200.00 CR

PTO-62/20 (10-04)

Approved for use through 07/31/2005. OMB 0661-0031
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Request For Continued Examination (RCE) Transmittal

Address to:
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P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/636,100
Filing Date	August 7, 2003
First Named Inventor	Siemens
Art Unit	3724
Examiner Name	Hwei Gu Chou Payer
Attorney Docket Number	L3440/277452

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Patent Application Fee Determination Record
- Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

b. ☐ Other _____
- Fees** The RCE fee under 37 C.F.R. 1.17(b) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0653. I have enclosed a duplicate copy of this sheet.

i. ☐ RCE fee required under 37 C.F.R. 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)

iii. ☒ Other any additional fees

b. ☐ Check in the amount of \$ _____ enclosed

c. ☒ Payment by credit card (Form PTO-3038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-3038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Camilla C. Williams</i>	Date	<i>April 4, 2005</i>
Name (Print /Type)	Camilla C. Williams	Registration No. (Attorney/Agent)	43,692

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Margaret A. Cogburn</i>	Date	<i>4 April 2005</i>
Name (Print /Type)	Margaret A. Cogburn		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.115 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Commissioner for Patents	703 872 9306	U. S. Patent & Trademark Office Alexandria, VA

Margaret A. Cogburn, Paralegal
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COMMENTS

Please acknowledge receipt of the enclosed:

- 1) Request for Refund;
- 2) Copy of the U.S. Patent Office's Auto-Reply Facsimile Transmission;
- 3) Copy of form PTO-2038;

For:

Applicant(s): Siemens et al.
Application No.: 10/638,100
Filing Date: August 7, 2003
Title: Cabinet Scraper with Handles

Attorney Docket No. L3440/277452

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In re Application of:

Siemers et al.

Application No.: 10/636,100

Art Unit: 3724

Filed: August 7, 2003

Examiner: Payer, Hwei Siu Chou

For: Cabinet Scraper with Handles

Docket No: L3440/277452

REQUEST FOR REFUNDCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450CERTIFICATE FACSIMILE TRANSMISSIONI hereby certify that this document and all documents referred to as enclosed are being facsimile transmitted to the U.S. Patent and Trademark Office Central Fax No.: 703-872-9306 on July 14, 2005.Margaret A. Cogburn
Margaret A. Cogburn

Sir:

On April 18, 2005, the United States Patent and Trademark Office debited Deposit Account No. 11-0855, a fee for the filing of a Request for Continued Examination ("RCE") in the amount of \$790.00 and a fee for independent-claims-in-excess-of-three in the amount of \$200.00 in the referenced patent application. Applicants respectfully assert that form PTO-2038 was submitted on April 4, 2005, with the filing of the RCE to cover the filing fee of \$790.00 and the independent-claims-in-excess-of-three fee of \$200.00 and request a refund.

A RCE and Response to Final Office Action were filed with the U.S. Patent Office via facsimile transmission on April 4, 2005. Form PTO 2038 was included with the RCE and Response to Final Office Action directing payment of the RCE filing fee and excess independent claim fee be charged to a credit card account. A copy of the U.S. Patent Office's Auto-Reply Facsimile Transmission evidencing the filing of the RCE, Response to Final Office Action and, form PTO-2038 is enclosed. Further, a copy of the form PTO-2038 evidencing the direction to charge the fees to a credit card is enclosed. Accordingly, Applicant respectfully requests a refund of the RCE filing fee of \$790.00 and excess fee of \$200.00 by means of crediting Deposit Account No. 11-0855.

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